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2 UNITED STATES DISTRICT COURT  
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FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

EASTERN DISTRICT OF WASHINGTON **Oct 16, 2019**

4 SEAN F. MCAVOY, CLERK  
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STATE OF WASHINGTON;  
COMMONWEALTH OF VIRGINIA;  
STATE OF COLORADO; STATE  
OF DELAWARE; STATE OF  
ILLINOIS; COMMONWEALTH OF  
MASSACHUSETTS; DANA  
NESSEL, Attorney General on behalf  
of the people of Michigan; STATE OF  
MINNESOTA; STATE OF  
NEVADA; STATE OF NEW  
JERSEY; STATE OF NEW  
MEXICO; STATE OF RHODE  
ISLAND; STATE OF MARYLAND;  
STATE IF HAWAI'I,

Plaintiffs,

v.

UNITED STATES DEPARTMENT  
OF HOMELAND SECURITY, a  
federal agency; KEVIN K.  
MCALEENAN, in his official  
capacity as Acting Secretary of the  
United States Department of  
Homeland Security; UNITED  
STATES CITIZENSHIP AND  
IMMIGRATION SERVICES, a  
federal agency; KENNETH T.  
CUCCINELLI, II, in his official  
capacity as Acting Director of United  
States Citizenship and Immigration  
Services,

Defendants.

NO: 4:19-CV-5210-RMP

NOTICE SETTING TELEPHONIC  
SCHEDULING CONFERENCE

1           **A. Telephonic Scheduling Conference**

2           **PLEASE TAKE NOTICE** that a telephonic scheduling conference will be  
3 held on the date and time noted below. Counsel and pro se parties shall use the  
4 following information to participate in the hearing:

5           **DATE: November 20, 2019 at 2:30 p.m.**

6           **PHONE NUMBER: 1-888-363-4749**

7           **ACCESS CODE: 6699898#**

8           **Speaker phones are not compatible with the Court's sound system and**  
9           **may not be used.** Please listen carefully and follow the automated instructions so  
that you will be added to the conference in a timely manner.

10          **B.** The provisions of Fed. R. Civ. P. 26 apply. The parties shall confer at  
11 least **fourteen (14) days** in advance of the scheduling conference and shall be  
12 prepared to discuss at the scheduling conference the following issues:

- 13           1. Whether service is complete and, if not, the expected date of  
14 completion;
- 15           2. Whether jurisdiction, venue, and standing are proper;
- 16           3. Whether the parties consent for this matter to be tried before a  
17 magistrate judge;
- 18           4. The nature and basis of their claims (brief summary);
- 19           5. A preferred trial date and estimated length of trial;
- 20           6. Anticipated motions;
- 21           7. Arrangement for the disclosures required under Fed. R. Civ. P.  
26(a)(1);

1       8. A proposed Discovery Plan as discussed in Fed. R. Civ. P. 26(f).<sup>1</sup>

2           This plan shall include the disclosures required under Rule 26(a)(1)

3           and shall also include a time and platform agreed upon for the exchange

4           of e-discovery, if any;

5       9. Whether class certification is alleged. The parties shall include a

6           suggested cut-off date as outlined in Local Rule 23.1;

7       10. Whether the case involves a beneficial interest claim of a minor

8           or incompetent that requires appointment of a Guardian ad litem;

9       11. The appropriateness of special procedures such as consolidation

10           of actions for discovery or pretrial, reference to a master or

11           magistrate, to arbitration, to the Judicial Panel on Multi-district

12           Litigation, or application of the procedures included in the

13           Manual for Complex Litigation;

14       12. Modification of the standard procedures due to the relative

15           simplicity or complexity of the action or proceeding;

16       13. Feasibility of bifurcation, or otherwise structuring sequence of

17           the trial;

21       <sup>1</sup> The parties are encouraged to use the following link for arriving at interim  
deadlines by inserting a proposed trial date: <http://www.waed.uscourts.gov/civil-trial-dates>.

- 1 14. Whether there will be a point in the litigation when the parties
- 2 can conduct meaningful settlement discussions or participation in
- 3 another form of alternative dispute resolution;
- 4 15. Identification of any issues that should be certified to the state
- 5 Supreme Court; and
- 6 16. Any other matters which may be conducive to the just, efficient,
- 7 and economical determination of the action or proceeding,
- 8 including the definition or limitation of issues.

9 **C. On or before November 13, 2019, the parties shall file the following:**

10 1. **Consent Form:** The parties shall complete the attached [Consent](#)  
11 [Form](#) and return it to the Clerk of the Court, as instructed, advising whether  
12 the parties consent to this case being tried by a United States Magistrate  
13 Judge. See 28 U.S.C. § 636 as amended;

14 2. **Statement Identifying Corporate Information:** Any non-  
15 governmental corporate party to this action shall file a statement identifying  
16 all its parent corporations and listing any publicly held company that owns  
17 10% or more of the party's stock. Counsel have an ongoing responsibility to  
18 supplement this information;

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3. **Joint Status Report (Fed. R. Civ. P. 26(f)):** The parties shall file a Joint Status Report (or separate reports if necessary), reflecting the results of their conference and the parties' position with respect to **each subject outlined in section B** of this Notice.

Counsel are expected to comply with the spirit of Rule 26 and seek to minimize the time and expense of discovery.

**DATED** October 16, 2019.

SEAN F. McAVOY  
DISTRICT COURT CLERK

s/Michelle M. Fox  
MICHELLE M. FOX  
Deputy Clerk